

EXHIBIT 8

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FEB 16 2007
GORDON MURRAY TILDEN LLP

10 The Honorable William L. Downing
11
12 SUPERIOR COURT OF THE STATE OF WASHINGTON
13 FOR KING COUNTY
14

15 ROB RINDE f/k/a ROBERT LARRY LEROY
16 PITSOR, JR.,
17

18 Plaintiff,
19
20 v.
21

22 THE CORPORATION OF THE PRESIDENT
23 OF THE CHURCH OF JESUS CHRIST OF
24 LATTER-DAY SAINTS, a Utah corporation
25 sole; and the "MORMON CHURCH" THE
26 CHURCH OF JESUS CHRIST OF LATTER-
27 DAY SAINTS, an unincorporated association,
28

29 Defendants.
30

31 NO. 06-2-09825-1 SEA
32

33 ORDER GRANTING
34 DEFENDANT'S MOTION TO
35 DISMISS AND/OR FOR SUMMARY
36 JUDGMENT
37

38 THIS MATTER was brought before the Court upon the motion of defendant Corporation
39 of the President of the Church of Jesus Christ of Latter-Day Saints ("COP") to dismiss and/or for
40 summary judgment seeking dismissal of defendant The Church of Jesus Christ of Latter-day
41 Saints ("the Church"). The Court heard the arguments of counsel on February 9, 2007, and has
42 considered the following submissions:

43
44 1. COP's Motion to Dismiss;
45

ORDER - 1

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- 1 2. Declaration of Michael Rosenberger and attached exhibits;
- 2 3. Declaration of Paul Rytting;
- 3 4. Plaintiff's Opposition Brief;
- 4 5. COP's Reply Brief;
- 5 6. Plaintiff's Memorandum in Opposition;
- 6 7. Declaration of Michelle A. Menely;
- 7 8. Reply Brief in Support of Motion to Dismiss; and
- 8 9. Second Declaration of Paul Rytting.

17 Based upon the foregoing, it is hereby:

18 ORDERED that the motion is GRANTED, subject to the following provisos.

19 First, to allow plaintiff the opportunity to move to amend the complaint to name Gordon
 20 Conger as a party defendant, the case shall not be removed to federal court until after the Motion
 21 to Amend is filed and ruled upon; provided, however, the defendant shall have the right to
 22 remove if no ruling is issued on or before March 19, 2007. Plaintiff shall file the Motion to
 23 Amend no later than 14 days after the date of the hearing, e.g., by no later than February 23,
 24 2007 and plaintiff shall note the motion for hearing, without oral argument, for six (6) court days
 25 after filing, and in no event later than March 5, 2007.

26 Second, in granting the motion, the Court specifically notes and rules as follows:

- 27 1. The Mormon Church, itself, is dismissed as a defendant. However, any person
 28 who would otherwise be an agent of the Church is an agent of COP.
- 29 2. The Court will be liberal in considering statements and admission by agents of the
 30 Church as statements and admissions against COP;

41 ORDER - 2

1 3. Any agent of the Church is an agent of COP for both liability and evidentiary
2 purposes.

3 4. The Mormon Church will not be an "empty chair" entity in this case.

4 DATED this 13th day of Feb., 2007.

5 151 William L. Downing
6 The Honorable William L. Downing

7 Presented By:

8 GORDON MURRAY TILDEN

9 By Michael Rosenberger

10 Michael Rosenberger, WSBA No. 17730
11 Attorneys for Defendant

12 Approved as to form:

13 GORDON, THOMAS, HONEYWELL,
14 MALANCA, PETERSON & DAHEIM LLP

15 By Michael Menely

16 Michael T. Pfau, WSBA No. 24649
17 Michelle A. Menely, WSBA No. 28353
18 Co-Counsel for Plaintiff

19 LAW OFFICES OF TIMOTHY D. KOSNOFF

20 By Michelle Menely

21 Timothy D. Kosnoff, WSBA No. 16586
22 Co-Counsel for Plaintiff

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